

**Meeting Notes**

Los Angeles County Department of Regional Planning

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**Attendees:**

Ken Schonlau, Sober Living Network  
Roy Itani, LA County Building and Safety  
Nicky Viola, Shelter Partnership  
James Bonar, Clifford Beers Housing, Inc.  
Remy De La Peza, Public Counsel  
Neil McGuffin, Corporation for Supportive Housing  
Sandy Chu, Southern California Rehabilitation Services  
Larry Hafetz, Los Angeles County Counsel  
Gretchen Siemers, LA County Regional Planning Department  
Connie Chung, LA County Regional Planning Department  
Anne Russett, LA County Planning Department

**Presentation:**

A slideshow was presented which included background information on the forthcoming Reasonable Accommodations Ordinance. Some major points from the slideshow:

- Los Angeles County committed to adopting an ordinance to allow persons with disabilities to request exceptions to planning, zoning and building standards in the recently adopted Housing Element of the General Plan.
- Various State and Federal Fair Housing Laws protect persons with disabilities, and those acting on their behalf, from housing discrimination.
- The Reasonable Accommodations Ordinance will provide a clear and streamlined procedure to request exceptions to existing standards; it will not require providers or developers of housing for persons with disabilities to install additional accessibility features.
- Some key components of the ordinance are:
  - The findings required to prove that an accommodation is reasonable and necessary;
  - The designated person who will make the determination on a request;
  - The timeframe for the Department of Regional Planning has to make a determination;
  - The appeals procedure;
  - Whether or not a public hearing would be required; and

- Examples of a Reasonable Accommodation from zoning include the encroachment into a required setback in order to build a wheel-chair ramp, the expansion of a group home in order to make that housing type financially viable, and waiving a zoning variance requirement to permit an accessible parking space in a front yard.
- The development of the ordinance includes, among other things, outreach to affected groups and research on fair housing policies of other local jurisdictions. After adoption, Regional Planning staff will publicize the availability of the procedure and train planners in fair housing practices.

**Discussion:**

A discussion ensued regarding the components of the forthcoming ordinance. Major topics are summarized below:

- The importance of coordination between the Departments of Regional Planning, Fire, Public Works, the Community Development Commission and possibly the Department of Mental Health was stressed. Benefits of this coordination include a minimum of time savings in the reasonable accommodations process, and potentially a better project all around.
- The authority to grant a reasonable accommodation should be with staff through an administrative procedure. Fair housing training and education are important factors in ensuring consistency and fairness.
- Group members commented that oversight of the process is important; an appeals process would allow for consistency among applications and determinations. Perhaps the first level of oversight would be an administrative review; a public appeals process would be the next step. The staff will investigate the allowable parameters of an appeals process under state law.
- It was suggested that a “tiered” approach be built in to the procedure to require more complex requests of new multi-family construction to be subject to a process that is more public or perhaps more onerous than would an accommodation to regulations for single family homes.
- It was noted that at times it is important to work within communities and consider neighborhood impact. This process can dispel myths about a project or its occupants, and can help build support for a good development, while ensuring community continuity and quality of life. It was also noted, however, that neighborhood fears and NIMBYism have stymied what would have been good developments.
- While working with a community may be important, there are legal boundaries within which reasonable accommodations must be granted to assure fair and equal access to housing. The ordinance is intended to alleviate any administrative or procedural impediments to housing access, and should not create any additional such barriers.
- The issue of environmental documentation was discussed. When and how would a request for reasonable accommodation be subject to the California Environmental Quality Act reporting

guidelines and would that change the status of a request from non-discretionary to a discretionary action.

- Documenting an applicant's status as a person with a disability is within the scope of fair housing laws. However, some local jurisdictions (Long Beach) do not request documentation from a caregiver in determining the applicant's status. It was noted that in the case of an application for a housing development for persons with disabilities, a service plan from funding source applications may be a good source of information to document the status of the intended occupants.
- Alternative accommodation was discussed as being an aspect of a flexible reasonable accommodation policy. However, there are potential pitfalls and unintended consequences to suggesting alternatives, since the decision maker may not have first-hand knowledge of the applicant's disability or needs.
- Accessibility standards in multifamily housing were discussed, although they are not specifically within the scope of this ordinance. The staff will, however, work with the agencies involved in regulating baseline accessibility standards so that the forthcoming policy and any particular reasonable accommodation will adhere to basic health and safety standards while still accommodating an applicant's disability.

#### **Next Steps**

- A next meeting will be scheduled to discuss in greater detail some of the variables in findings and procedure that the ordinance may include, along with further discussion on other local jurisdictions' policies.
- Outreach materials and resources will be available online at <http://planning.lacounty.gov/reasonableAccommodations.htm>